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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,444	03/26/2004	Sotomitsu Ikeda	02922.000205.	8112
5514 7590 08/15/2008 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER				
KANE, CORDELLA P				
ART UNIT		PAPER NUMBER		
2132				
MAIL DATE		DELIVERY MODE		
08/15/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/809,444

Applicant(s)

IKEDA, SOTOMITSU

Examiner

CORDELIA KANE

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 19, 2008 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1 – 5, and 7 – 10 have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1 – 4, 7, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teraura, in view of Petteruti and further in view of Ostrover et al's US Patent 6,585,154 B1. Referring to claims 1 and 10, Teraura teaches:

- a. An identification device that identifies identification information of a recording medium to which the contents information is to be printed (page 1, paragraph 17).

- b. A second determination device that determines whether or not the contents of the information which is designated for printing has been registered (page 5, paragraph 89 and 92). It is determined whether the ID number of the operator is valid and then stores it.
 - c. A print device that prints the contents information designated for printing to the recording medium based on a determination by the second determination device (page 5, paragraph 92). If the ID number is stored then printing continues.
 - d. A registration device that registers, if the contents information is printed, the identification information of the recording medium to which the contents information is printed (page 5, paragraph 92).
5. Teraura does not explicitly disclose determining whether or not the recording medium is a medium on which printing of the contents information is permitted and inhibiting printing if it is determined that the medium is not the medium on which printing is permitted. However, Petteruti discloses checking the print commands to see if they are valid for the printer (media) and if they are not valid ignoring the command (column 4, lines 46-57). Teraura and Petteruti are analogous art because they are from the same field of endeavor, printing using RFID. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Teraura and Petteruti before him or her, to modify the printing of Teraura to include the verification of Petteruti. The suggestion/motivation for doing so would have been to be sure the printer is the correct printer type (column 4, lines 52-55).

6. Teraura and Petteruti does not explicitly disclose registering the contents information printed by the printed device. However, Ostrover discloses, storing an electronic copy of the content of the document in the microchip attached to the document (column 6, lines 15-21). Teraura, Petteruti, and Ostrover are analogous art because they are from the same field of endeavor, radio tags. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Teraura in view of Petteruti and Ostrover before him or her, to modify the system of Teraura in view of Petteruti to include the electronic copy of Ostrover. The suggestion/motivation for doing so would have been so that the information in the chip could match visual data such as text or a document (column 1, lines 46-47).
7. Referring to claim 2, Teraura teaches a management apparatus that manages the registered contents information and the registered identification of the recording medium (page 5, paragraph 90).
8. Referring to claim 3, Teraura teaches that the determination by the first and second determination devices is carried out in cooperation with the management apparatus (page 5, paragraph 89, 90 and 92).
9. Referring to claim 4, Teraura teaches:
 - e. In a case in which the second determination device determines that the contents information designated for printing has not been registered, the print device prints the contents information designated for printing to the recording medium (page 5, paragraph 93),

- f. In a case in which the second determination device determines that the contents information designated for printing has been registered, the print device prints the contents information that has been registered (page 5, paragraphs 89, 92).
- 10. Referring to claim 7, Teraura teaches an information processing apparatus that designates the contents for printing (page 5, paragraph 92).
- 11. Referring to claim 9, Teraura teaches:
 - g. The recording medium has a radio section attached thereto (page 5, paragraph 90).
 - h. The identification apparatus identifies the recording medium by reading the identification information sent from the radio section (page 5, paragraph 92). For the control circuit to know to select the paper tray with the RFID tag paper in it, it would have to read the RFID.
- 12. Claims 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teraura in view of Petteruti in view of Ostrover as applied to claim 1 above, and further in view of Tsuboi. Teraura in view of Petteruti in view of Ostrover discloses all the limitations of the parent claim as well as printing the information if it has been registered (Teraura, page 5, paragraphs 89 and 92). Teraura in view of Petteruti in view of Ostrover does not explicitly disclose the document not being registered inhibiting the printing, and the content information for output already being outputted to the medium. However, Tsuboi discloses:

- i. That the output apparatus does not output the image if it is not registered (column 21, lines 65-66).
 - j. That the content for output has already been outputted (column 23, lines 33-40).
13. Teraura in view of Petteruti in view of Ostrover and Tsuboi are analogous art because they are from the same field of endeavor, copying and printing. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Teraura in view of Petteruti in view of Ostrover and Tsuboi before him or her, to modify Teraura in view of Petteruti in view of Ostrover to include the registration and mosaic method of Tsuboi. The motivation for doing so would have been to print multiple copies of the same image with slightly different color settings so as to be able to locate the one that is the best fit (Tsuboi, column 1, lines 52-67).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CORDELIA KANE whose telephone number is (571)272-7771. The examiner can normally be reached on Monday - Thursday 8:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. K./
Examiner, Art Unit 2132

/Benjamin E Lanier/
Primary Examiner, Art Unit 2132